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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshiko ONO et al.

Confirmation No.: 7379

Application No.: 10/594,236

Group Art Unit: 1617

Filed: September 25, 2006

Examiner: Timothy E. Betton

Title: ADIPONECTIN ENHANCER

Mail Stop AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR RESCISSION OF ABANDONMENT

Sir:

Applicants are in receipt of a Notice of Abandonment mailed March 17, 2008, wherein the above-identified application is indicated as abandoned for failure to respond to the Office Action mailed August 10, 2007. However, it is respectfully noted that an Amendment and Reply Under 37 C.F.R. § 1.111, together with an Information Disclosure Statement, was timely filed on October 26, 2007. A copy of the Amendment, and the Information Disclosure Statement, together with a date stamped copy of the PTO receipt card is attached. Also attached is a log sheet showing that the response was sent from the offices of Drinker Biddle & Reath LLP to the USPTO on October 26, 2007.

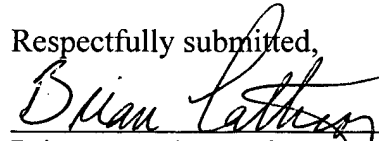
The Office attaches an Interview Summary dated March 7, 2008, purporting that the Office informed an attorney at Drinker Biddle & Reath LLP that no further action would be taken in the present application. The Interview Summary provides the longer of one month or 30 days to respond to the substance of the purported interview. Applicants' present response thus is timely filed on or before April 7, 2008. This response constitutes a Request for Reconsideration pursuant to 37 C.F.R. § 1.181.

It is respectfully requested that the Notice of Abandonment be rescinded, and that prosecution be reinstated and continued in the instant application.

Should the Examiner have any questions and/or comments or need to discuss this matter further, he is respectfully requested to contact the undersigned.

Date: March 26, 2008

Respectfully submitted,



Brian K. Lathrop, Ph.D., Esq.

Registration No. 43,740

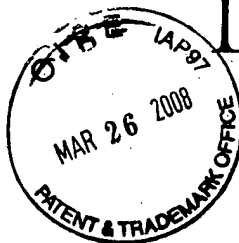
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The official date stamp of the United States Patent and Trademark Office hereon is acknowledgment of the filing of:

I. Application

- ☐ A. New Application
☐ Provisional
☐ Utility
☐ Design
☐ Plant
- ☐ B. Continuation/Divisional/Continuation-In-Part
☐ § 1.53(b)
☐ § 1.53 (f) – fee not included
- ☐ C. Specification: _____ Sheet(s)
- ☐ D. _____ Claim(s)
- ☐ E. _____ Drawing(s)
☐ Formal
☐ Informal
- ☐ F. Small Entity
- ☐ G. Combined Declaration & Power of Attorney

II. Prosecution Documents

- ☐ A. Request for Correction of Official Filing Receipt
- ☒ B. Response to Office Action
☐ _____ Month Extension of Time
- ☐ C. Claim to Priority & Priority Document(s)
- ☒ D. Information Disclosure Statement
☒ PTO Form 1449 – 1 page(s)
☒ 1 Prior Art Reference(s)
- ☐ E. Issue Fee
☐ Form PTOL-85
☐ Request for _____ Soft Copies
- ☐ F. Formal Drawing(s): Sheet(s)

III. Post Issuance

- ☐ A. _____ Maintenance Fee
- ☐ B. Request for Correction of Letters Patent

IV. Recordation

- ☐ A. Assignment Agreement (Number of Patents Covered: _____)
- ☐ B. Security Interest Agreement (Number of Patents Covered: _____)
- ☐ C. Change of Name, Merger or Other Transfer Document (Number of Patents Covered: _____)
- ☐ D. PTO Recordation Form Cover Sheet

VI. Payment

- ☒ Check No. 38829 for \$ 180.00
- ☐ Deposit Account No. _____ for \$ _____

VII. Other

- ☐ A. Transmittal Letter
- ☐ B. Power of Attorney
- ☐ C. Appointment of Domestic Representative
- ☐ D. Request for Continued Examination
- ☒ E. Exhibits 1, 2, 3, 4



Date: October 26, 2007

Client No.: 47237

File No.: 5011/00US

Matter No.: 231515

Title: ADIPONECTIN ENHANCER

Inventor(s): Yoshiko ONO et al.

Serial/Patent. No. 10/594,236

Attorney: Brian K. Lathrop, Ph.D., Esq.

Secretary: Tina M. Fluharty

⑦ mgb 10/26/07

RLG/MKM

Country Application

Wednesday, March 19, 2008

Page: 1

Docket Number: 47237-5011

Country: US

SubCase: 00

DBR Matter: 231515

Client: Suntory Limited (Seiwa Patent & Law)

United States of America

Client Reference No: STY-R669-US

Former Docket #:

Case Type: PCT

Application Status: Published

Application Number: 10/594,236

Filing Date: 25-Sep-2006

Publication Number: 2007-0208077-A1

Publication Date: 06-Sep-2007

Patent Number:

Issue Date:

Parent/PCT Number: PCT/JP2005/006733

Parent/PCT Date : 30-Mar-2005

Parent Issue Number:

Parent Issue Date :

Tax Schedule: LE

Expiration Date:

Confirmation #: 7379

Patent Term Adjustment: 0

License:

Terminal Disclaimer:

Owner: SUNT

Suntory Limited

Attorneys: RLG

MKM

Agent:

Agent Reference #:

App.Title: ADIPONECTIN INCREASING AGENT

Inventors:

Family Reference:

ONO, Yoshiko

FUJIWARA, Yoko

Remarks: PTO- Notice of Abandonment dated 3/17/08, recd 3/19/08;
3-month non-final OA w/PTO-892 dated 8/10/07-FILED 10/26/07 with IDS with 1449, 1 ref,
and Fee;
Notice of Publication 9/18/07; Reported 10/26/07;
OFR/Notice of Acceptance received 6/1/07; Reported 7/16/07;
RA recd 10/13/06; Reported 11/1/06;
New National Phase Appln FILED 9/25/06, w/ spec, drawings (4), executed decl/assignment,
preliminary amendment, PCT documents, IDS w/PTO-1449 & 3 refs.and reported to client;
Confirmation copy recd 9/12/06, w/ executed, documents, spec. drawings and PCT
documents;
Instructions for new natl'phase appln received 9/11/06;

Abstract:

Country Application

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List Of Actions

Action(s) Due	Due Date	Action Taken
Response Filed - Status Check	26-Mar-2008	Status
Reinstatement Reminder-6 mos	17-Sep-2008	Reminder
Reinstatement Reminder-3 mos	17-Dec-2008	Reminder
Reinstatement Reminder-1 mos	17-Feb-2009	Reminder
Reinstatement Reminder-1 wk	10-Mar-2009	Reminder
File for Reinstatement Due	17-Mar-2009	Final

Assignment History

Assignment From	Assignment To	Assignment Date	Reel	Frame
Ono, Yoshiko et'al	Suntory Limited	25-Sep-2006	018359	0675

Remarks:

Created By: MONGELPS

User ID: JORDANKJ

Date Created: 11-Sep-2006

Last Update: 19-Mar-2008

PATENT PTO LOG

DATE	SERIAL NO.	DOCKET NO.	DESCRIPTION OF FILING	FEE	L	W
10/26/07	10594236	47337501/10594236	Response; IDS 1449; 1 neg Ex 1-4	180.00	7	1
				38829		
10/26/07	11089130	47337501/10594236	Issue Fee	\$ 1782-	2	1
				38830		
10/26/07	11110854	47113-5703	RCZ	\$810.00	41	13
				38834		
10/26/07	101880447	47113-0487	RCZ IDS 1449, 3 negs	\$810.00	41	13
				38833		

